


USDS SDNY
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other documents to corroborate the alleged incident attached to the Complaint, and there is no specific explanation for why she was told she was terminated and why she thinks she was terminated. Although a plaintiff is not required to prove her case in her complaint, *see* FED. R. CIV. P. 8, the Court cannot determine from Chaney's Complaint that her claim likely has merit.

Accordingly, Chaney's application for the appointment of counsel is DENIED WITHOUT PREJUDICE. The Clerk of the Court is instructed to close the relevant open motion (Docket No. 10).

Both parties are reminded to follow the timetable established by the Pretrial Scheduling Order: (1) the case will be tried in October 2010; (2) the deadline for discovery is April 16, 2010; and (3) the deadline for fully-briefed dispositive motions is July 30, 2010. The deadline to add new parties or a new cause of action has already lapsed.

SO ORDERED
New York, New York
December 29, 2009



United States District Judge